

- (c) The Parties know of no reason that the presumptive limits of ten (10) depositions to per side as set forth in Rule 30(a)(2)(A), Fed.R.Civ.P. and twenty-five (25) interrogatories per party as set forth in Rule 33(a), Fed.R.Civ.P. should not apply.
- (d) The Parties think it unlikely that a physical or mental examination will be required.
- (e) Plaintiffs will disclose experts on or before February 16, 2011. Defendants will disclose experts on or before March 15, 2011. Plaintiff's expert will be available for deposition by May 16, 2011. Defendants' expert will be available for deposition by June 15, 2011.
- (f) The Parties do not anticipate this case will encompass significant electronic discovery. In the event that electronic discovery does become necessary, the parties will make legitimate, good faith efforts to cooperate with opposing Parties' requests.
- (g) Given the current status of the case at bar the Parties are not aware of any potential claims of privilege or of matters requiring protection orders. In the event such issues develop, Defendants will make its best faith efforts to resolve such disputes with Plaintiff prior to presenting such matters to this Court.
- (h) Defendants do not anticipate significant issues preventing this case from being timely scheduled as set forth herein.
- (i) All discovery will be completed by June 30, 2011.

4. Any dispositive motions will be filed by Plaintiffs by August 30, 2011. Any dispositive motions by Defendants will be filed by September 15, 2011.
5. The earliest date by which this case should reasonably be expected to be ready for trial is December 1, 2011.
6. The estimated length of trial is two (2) days.
7. The Parties do not consider this case appropriate for referral to mediation or early neutral evaluation.
8. The Parties know of no other matters appropriate for inclusion in the Proposed Scheduling Plan.

Respectfully submitted,

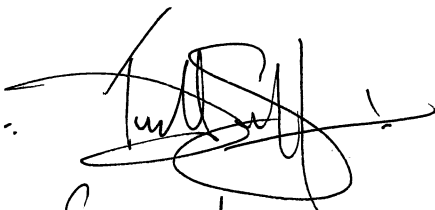
Alicia C. O'Connell E.D. A.R.N. #4296591
Assistant Counsel
105 W. Capitol
P.O. Box 270
Jefferson City, MO 65102-0270
Telephone: (573) 751-7454
Facsimile: (573) 526-4408
Email: Alicia.O'Connell@modot.mo.gov

R. B. Regan E.D. A.R.N. #10587
Senior Litigation Counsel
1590 Woodlake Drive
Chesterfield, MO 63017-5712
Telephone: (314) 340-4230
Facsimile: (314) 340-4249
Email: B.Regan@modot.mo.gov

Paula Lambrecht E.D. A.R.N. #21657
Assistant Chief Counsel

ATTORNEYS FOR DEFENDANTS

Skouby, Teel, Thurman, Gohring, Farber, Gach,
Michie, Nichols, Carmichael, and Miller

Approved: 
Timothy Sandefur,
att'y for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on November 24, 2010, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

ALICIA O'CONNELL
E-Mail: alicia.o'connell@modot.mo.gov,
Lori.Tackett@modot.mo.gov,
sheila.schulte@modot.mo.gov

R. B. REGAN
E-Mail: b.regan@modot.mo.gov
Counsel for Defendants Skouby, et al.

DANA W. TUCKER
E-Mail: dana.tucker@ago.mo.gov,
Sherry.Dawson@ago.mo.gov
Counsel for Defendant Koster

/s/ Timothy Sandefur
TIMOTHY SANDEFUR, Cal Bar No. 224436*

Attorney for Plaintiffs
MICHAEL MUNIE and
ABC QUALITY MOVING, LLC

Pacific Legal Foundation
3900 Lennane Drive, Suite 200
Sacramento, California 95834
Telephone: (916) 419-7111
Facsimile: (916) 419-7747
E-mail: tms@pacificlegal.org

*pro hac vice

PACIFIC LEGAL FOUNDATION
3900 Lennane Drive, Suite 200
Sacramento, CA 95834
(916) 419-7111 FAX (916) 419-7747